

REMARKS

This Third Reply is in response to the first Advisory Action mailed on October 26, 2005, denying entry of amendments contained in a first Reply mailed on October 11, 2005, and a second Advisory Action denying entry of amendments contained in a Second Reply mailed on November 9, 2005. This Third Reply is once again in response to the Final Office Action mailed on August 10, 2005 in which Claim 66 was allowed; in which Claims 9-11, 18, 45 and 53 were objected to; and in which Claims 1-8, 14-17, 19-23, 29-38, 40-44, 46, 49-52, 54, 57, 59 and 61-65 were rejected. With this third response, Applicant respectfully requests entry of amendments canceling Claims 9, 19-41, 52, 53 and 57-59; amending Claims 1, 10, 11, 17, 49 and 64; and adding Claim 67. Upon entry of such amendments, Applicant respectfully requests reconsideration and allowance of Claims 1-8, 10-11, 14-18, 42-46, 49-51, 54 and 61-67. Upon allowance of Claims 1 and 49, Applicant respectfully requests reinstatement of withdrawn Claims 12-13, 47-48 and 55-56 which depend from such generic claims. Accordingly, Claims 1-8, 10-18, 42-51, 54-56, and 61-67 are presented for reconsideration and allowance.

I. Examiner Interview Summary.

On November 29, 2005, a telephonic interview was held between Examiner Liang and Applicant's attorney, Todd A. Rathe. Examiner Liang indicated that a second Advisory Action would be issued refusing entry of the amendments contained in the Second Reply mailed on November 9, 2005. Examiner Liang explained that the listing of Claim 66 in the Second Reply mailed on November 9, 2005, inadvertently omitted the ending claim element. In response, Claim 66 is amended with this Third Reply to once again add the limitation that was inadvertently omitted as the result of a typographical error. Applicant further re-submits the remaining other amendments that were submitted with the Second Reply mailed on November 9, 2005. Applicant wishes to thank Examiner Liang for the opportunity to correct this typographical error.

II. Rejection of Claims 64 and 65 Under 35 U.S.C. § 112 Second Paragraph.

Page 2 of the Office Action rejected Claims 64 and 65 under 35 U.S. C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Per the Examiner interview held on October 6, 2005, Claim 64 is amended to clarify that heat energy carried by the air flow preheats the media prior to the media entering the print zone and that the air flow is directed at the first service after the first service has passed through the print zone. Support for this amendment to Claim 64 is found in FIGURE 1 and on page 8, lines 31-33. Accordingly, no new matter is believed to be added. It is believed that Claim 64, as amended, overcomes the rejection under 35 U.S.C. § 112.

III. Rejection of Claims 1-5, 8, 14-17, 19, 22-23, 31, 34-38, 40-44, 46, 49-52, 54, 58-59 and 61-63 Under 35 U.S.C. § 103(a) Based Upon Smith and Mizutani.

Page 3 of the Office Action rejected Claims 1-5, 8, 14-17, 19, 22-23, 31, 34-38, 40-44, 46, 49-52, 54, 58-59 and 61-63 under 35 U.S.C. § 103(a) as being unpatentable over Smith, U.S. Patent No. 5,020,244, in view of Mizutani, et al., U.S. Patent No. 6,439,712. With this response, Claims 1, 17 and 49 are amended. Claims 19, 22-23, 31, 34-38, 40-41, 52 and 58-59 are cancelled. Claims 1-5, 8, 14-17, 42-44, 46, 49-51, 54 and 61-63, as amended, overcome the rejection based upon Smith and Mizutani.

A. Claim 1.

Page 14 of the Office Action indicated that Claim 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, independent Claim 1 is amended to incorporate the limitations of Claim 9 which is hereby cancelled. Accordingly, Claim 1, as amended, overcomes the objection based upon Smith and Mizutani. Claims 2-5, 8, 14-17, 42-44, 46 and 61-63 depend from Claim 1 and overcome the rejection for the same reasons.

B. Claim 17.

Claim 17 depends from Claim 1 and overcomes the rejection based upon Smith and Mizutani for the same reasons discussed above with respect to Claim 1. Claim 17 is further amended to clarify that the second direction component varies in a direction generally lateral to a direction of the media passing through the print zone. Support for the amendment to Claim 17 is found in FIGURE 8, which shows a directional component 104a (also shown in FIGURE 4). Accordingly, no new matter is believed to be added.

C. Claim 49.

Page 14 of the Office Action indicated that Claim 53 would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Claim 49 is amended to incorporate the limitations of dependent Claim 53 and intervening Claim 52, which are hereby cancelled. Thus, Claim 49, as amended overcomes the rejection based upon Smith and Mizutani. Claims 50 and 51 depend from Claim 49 and overcome the rejection for the same reasons.

IV. Rejection of Claims 6-7, 20-21, 29-30 and 32-33 Under 35 U.S.C. § 103(a) Based Upon Smith, Mizutani and Martinengo.

With this response, Claims 20 and 21, 29-30 and 32-33 are cancelled. Claims 6 and 7 depend from Claim 1 and overcome the rejection based upon Smith, Mizutani and Martinengo for the same reasons discussed above with respect to Claim 1.

V. Added Claim.

With this Response, Applicant respectfully requests entry of amendments adding Claim 67. Added Claim 67 is presented for consideration and allowance.

Page 14 of the Office Action indicated that Claim 45 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any

intervening claims. In response, Claim 45 is re-written as added independent Claim 67 and includes all the limitations of former base Claim 1 and intervening Claim 45. Thus, Claim 67 is believed to be patentably distinct of the prior art of record.

VI. Conclusion.

After amending the claims as set forth above, Claims 1-8, 10-18, 42-51, 54-56, and 61-67 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17 to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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